

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent, iodine, had been in part omitted.

Misbranding, Section 403 (a), the statements, both on the bottle label and in the leaflets, "Delamer Mineralized Water is prepared under the strictest supervision and is formulated so that when taken according to directions ( $\frac{1}{2}$  ounce daily) it provides the following mineral supplements: Mineral Factor \* \* \* Iodine Proportion of Min. Daily Adult Requirements \* \* \* 100%," were false and misleading as applied to an article of which one-half ounce would not provide 100 percent of the proportion of the minimum daily adult requirement for iodine. The statement in the leaflets which tended to create the impression that "Wearing Out" was evidence of a lack of minerals; that loss of vitality and pep and tiring easily were evidences of a lack of iron; that failure of children to attain normal growth was evidence of a lack of calcium; that lack of minerals was responsible for the poor physical condition of an amazing number of people; and that Delamer would prevent or correct these abnormalities, were false and misleading since the article would not prevent or correct them. Section 403 (j), the article purported to be and was represented for special dietary uses by reason of its mineral content, and its label failed to bear such information concerning its mineral properties as has been determined to be and by regulations prescribed as necessary in order fully to inform purchasers as to its value for such uses, since the label did not bear a correct statement of the proportion of the minimum daily adult requirement for iodine furnished by a specified quantity of the article when consumed during a period of 1 day.

**DISPOSITION:** February 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to a charitable or public institution.

**6396. Adulteration and misbranding of Mont-O-Ad, Mont-O-Plex, and Mont-O-Cee Tablets.** U. S. v. 569 Packages of Mont-O-Ad Tablets, 427 Packages of Mont-O-Plex Tablets, and 396 Packages of Mont-O-Cee Tablets. Consent decree of condemnation. Products ordered released under bond to be brought into compliance with the law. Amended decree ordering products destroyed. (F. D. C. No. 10857. Sample Nos. 36370-F to 36373-F, incl.)

**LABEL FILED:** October 8, 1943, District of New Mexico.

**ALLEGED SHIPMENT:** From on or about November 7, 1942, to March 24, 1943, by the F. E. Bucklin Co., Los Angeles, Calif.

**PRODUCT:** 569 packages of Mont-O-Ad Tablets, 427 packages of Mont-O-Plex Tablets, and 396 packages of Mont-O-Cee Tablets, at Albuquerque, N. Mex.

Analysis of samples disclosed that each Mont-O-Ad Tablet contained not more than 230 U. S. P. units of vitamin A, 75 U. S. P. units of vitamin D, and 2.4 milligrams of iron; that each Mont-O-Plex tablet contained not more than 167 micrograms (gammas) of vitamin G ( $B_2$ ) and 1.8 milligrams of iron; and that each Mont-O-Cee tablet contained not more than 20.4 milligrams of vitamin C and 1.6 milligrams of iron.

**VIOLATIONS CHARGED:** Mont-O-Ad Tablets, adulteration, Section 402 (b) (1), valuable constituents, vitamin A, vitamin D, and iron, had been in whole or in part omitted or abstracted from the article. Misbranding, Section 403 (a), the following statements which appeared upon the label, "Each tablet provides: Vitamin A 1500 I. U. Vitamin D 150 I. U. Iron 6.8 mg. \* \* \* Three tablets provide the minimum daily adult requirements of vitamins A and D and twice those requirements of iron," were false and misleading as applied to the article, which contained less vitamin A, vitamin D, and iron than it was represented to contain.

Mont-O-Plex Tablets, adulteration, Section 402 (b) (1), valuable constituents, vitamin G and iron, had been in whole or in part omitted or abstracted from the article. Misbranding, Section 403 (a), the following statements appearing on the label, "Each Tablet Provides: \* \* \* Vitamin G ( $B_2$ )— $\frac{2}{3}$  mg. (666 Gammas). \* \* \* Iron—5 mg. \* \* \* Three tablets provide the minimum daily adult requirements of vitamin G and iron," were false and misleading as applied to the article, which contained less vitamin G and iron than it was represented to contain.

Mont-O-Cee Tablets, adulteration, Section 402 (b) (1), valuable constituents, vitamin C and iron, had been in whole or in part omitted or abstracted from the article. Misbranding, Section 403 (a), the following statements

appearing upon the label, "Each Tablet Provides: \* \* \* Vitamin C—29 mg. (500 I. U.) Iron—6.8 mg. \* \* \* Three tablets daily provides 2½ times the minimum daily adult requirement of vitamin C and twice those requirements of iron," were false and misleading as applied to the article, which contained less vitamin C and iron than it was represented to contain.

**DISPOSITION:** October 29, 1943. The Montmorillonite Corporation, Albuquerque, N. Mex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. On March 31, 1944, pursuant to agreement, an amended decree was entered, ordering the products destroyed.

**6397. Misbranding of calcium pantothenate tablets. U. S. v. 15 Bottles of Calcium Pantothenate Tablets. Default decree of condemnation and destruction.** (F. D. C. No. 9832. Sample No. 12487-F.)

**LIBEL FILED:** April 26, 1943, Western District of Washington.

**ALLEGED SHIPMENT:** On or about February 25, 1943, by Alberty Food Products, from Hollywood, Calif.

**PRODUCT:** 7 unlabeled bottles, each containing 360 tablets, 1 bottle labeled as containing 360 tablets, and 7 labeled bottles, each containing 60 tablets, of calcium pantothenate, at Seattle, Wash.

The original consignment consisted of 48 bottles, each containing 360 tablets, which were unlabeled when shipped; 1 bottle had been relabeled, and 7 small bottles had been filled from the larger bottles and labeled.

**LABEL, IN PART:** (Labeled bottles) "Simmons Lift-2-Life Calcium Pantothenate \* \* \* 10 mg. (10,000 Micrograms) each of Calcium Pantothenate per tablet."

**VIOLATIONS CHARGED:** Misbranded when introduced into interstate commerce. Section 403 (i) (1), the article failed to bear a label containing the common or usual name of the food; Section 403 (e) (1), it was a food in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; and, Section 403 (j), it purported to be a food for special dietary use by reason of its vitamin content, the vitamin known as calcium pantothenate, and it failed to bear a label containing such information concerning its vitamin properties as has been determined to be and by regulations prescribed as necessary in order fully to inform purchasers as to its value for such uses, since it failed to bear a label stating the quantity of calcium pantothenate furnished by a specified quantity of the product when consumed as directed during a period of 1 day, and that the need for calcium pantothenate in human nutrition has not been established.

**DISPOSITION:** November 8, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6398. Misbranding of Nix Hair Vita. U. S. v. 12 Dozen Bottles of Gray Hair Vitamin. Decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 9783. Sample No. 10237-F.)

**LIBEL FILED:** April 9, 1943, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about March 27, 1943, by the Nix Cosmetics Co., from Memphis, Tenn.

**PRODUCT:** 6 dozen bottles, each containing 90 tablets, and 6 dozen bottles, each containing 30 tablets, of Gray Hair Vitamin at New Orleans, La.

The article contained approximately 10 milligrams of calcium pantothenate per tablet.

**LABEL, IN PART:** "Nix Hair Vita Anti 'Gray Hair Vitamin' Each Tablet 10 MG Calcium Pantothenate."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the statements appearing on the label, "Nix Hair Vita Anti 'Gray Hair Vitamin' \* \* \* Investigations indicate may be of value in restoring color of hair by supplying dietary deficiency. Color starts coming through roots," were false and misleading as the use of the article would not result in restoring the natural color of hair to persons having gray hair.